

1 SHOOK, HARDY & BACON LLP  
2 B. Trent Webb, Esq. (*pro hac vice*)  
Peter Strand, Esq. (*pro hac vice*)  
3 Ryan D. Dykal, Esq. (*pro hac vice*)  
2555 Grand Boulevard  
Kansas City, MO 64108-2613  
4 Telephone: (816) 474-6550  
Facsimile: (816) 421-5547  
[bwebb@shb.com](mailto:bwebb@shb.com)

5 Robert H. Reckers, Esq. (*pro hac vice*)  
6 600 Travis Street, Suite 1600  
Houston, TX 77002  
7 Telephone: (713) 227-8008  
Facsimile: (713) 227-9508  
[rreckers@shb.com](mailto:rreckers@shb.com)

9 GIBSON, DUNN & CRUTCHER LLP  
10 Mark A. Perry (*pro hac vice*)  
1050 Connecticut Avenue, N.W.  
11 Washington, DC 20036-5306  
Telephone: (202) 955-8500  
[mperry@gibsondunn.com](mailto:mperry@gibsondunn.com)

12 Blaine H. Evanson (*pro hac vice*)  
13 Joseph A. Gorman (*pro hac vice*)  
Lauren M. Blas (*pro hac vice*)  
14 333 South Grand Avenue  
Los Angeles, CA 90071  
15 Telephone: (213) 229-7228  
[bevanson@gibsondunn.com](mailto:bevanson@gibsondunn.com)

16 Attorneys for Defendants Rimini Street, Inc. and Seth Ravin

17  
18 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

19 ORACLE USA, INC., a Colorado corporation;  
20 ORACLE AMERICA, INC., a Delaware  
corporation; and ORACLE INTERNATIONAL  
21 CORPORATION, a California corporation,

22 Plaintiffs,

23 v.

24 RIMINI STREET, INC., a Nevada corporation,  
and SETH RAVIN, an individual,

25 Defendants.

LEWIS ROCA ROTHGERBER CHRISTIE LLP  
W. West Allen (Nevada Bar No. 5566)  
Daniel F. Polsenberg (Nevada Bar No. 2376)  
Joel D. Henriod (Nev. Bar No. 8492)  
3993 Howard Hughes Parkway, Suite 600  
Las Vegas, NV 89169  
Telephone: (702) 949-8200  
[wallen@lrrc.com](mailto:wallen@lrrc.com)

RIMINI STREET, INC.  
Daniel B. Winslow (*pro hac vice*)  
6601 Koll Center Parkway, Suite 300  
Pleasanton, CA 94566  
Telephone: (925) 264-7736  
[dwinslow@riministreet.com](mailto:dwinslow@riministreet.com)

John P. Reilly (*pro hac vice*)  
3993 Howard Hughes Parkway, Suite 500  
Las Vegas, NV 89169  
Telephone: (336) 908-6961  
[jreilly@riministreet.com](mailto:jreilly@riministreet.com)

Case No. 2:10-cv-0106-LRH-PAL

**DEFENDANTS RIMINI STREET, INC.'S  
AND SETH RAVIN'S OPPOSITION TO  
ORACLE'S MOTION FOR LEAVE TO  
SUPPLEMENT ITS MOTION FOR COSTS  
AND ATTORNEYS' FEES**

Judge: Hon. Larry R. Hicks

1       Almost two months after filing its original motion for attorneys' fees and costs on  
2 November 13, 2015 (Dkt. 917), Oracle has filed a motion for leave to supplement that request with an  
3 additional \$1.9 million for fees and costs incurred in September, October, and November 2015 (Dkt.  
4 969), for a total of \$58.2 million—an outrageous number that exceeds the jury's verdict by millions  
5 of dollars. Together with Oracle's request for prejudgment interest, Oracle is seeking an additional  
6 \$100 million, well over twice the jury's verdict.

Rimini objects to Oracle’s supplementation, including on the grounds that: (i) Oracle has failed to demonstrate that good cause exists under Federal Rule of Civil Procedure 16(b) to amend the Court’s October 22, 2015 scheduling order (Dkt. 903); (ii) the fees and costs could have been included with Oracle’s original motion, but Oracle was not diligent in including them; (iii) Oracle previously used the fact that it was not seeking these fees and costs as an example of why its request was “reasonable” and “conservative” (Dkt. 922 at 21); and (iv) the belated amendment prejudices Rimini. However, rather than burden the Court with the obligation to decide yet another motion in this case, Rimini will include argument on these objections in its February 12, 2016 principal submission on attorneys’ fees and costs.

In its motion for leave to supplement, Oracle also corrects—for the third time—billing and calculation errors in its original motion for attorneys’ fees and costs. Dkt. 969 at 1 n.1. This correction highlights the need to grant Rimini’s pending motion to compel discovery from Oracle (Dkt. 930), so that Rimini and this Court can evaluate whether Oracle is seeking fees and costs from Rimini that it would not pay for itself.

DATED: January 25, 2016 LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: s/ W. West Allen  
W. West Allen

*Attorneys for Defendants  
Rimini Street, Inc. and Seth Ravin*

**CERTIFICATE OF SERVICE**

I hereby certify that on January 25, 2016, I caused to be electronically filed the foregoing document with the clerk of the court for the U.S. District Court, District of Nevada, using the electronic case filing system. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

By: s/ W. West Allen  
W. West Allen

*Attorney for Defendants  
Rimini Street, Inc. and Seth Ravin*